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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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DOCKET NO. T-20514A-07-0113

COMMISSIONERS

MIKE GLEASON, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE

IN THE MATTER OF THE APPLICATION OF
BROADWEAVE NETWORKS OF ARIZONA FOR
A CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE RESOLD LOCAL
EXCHANGE AND FACILITIES-BASED LOCAL
EXCHANGE TELECOMMUNICATIONS
SERVICES IN THE STATE OF ARIZONA.

PROCEDURAL ORDER

BY THE COMMISSION:

On February 21, 2007, Broadweave Networks of Arizona ("BNA" or "Applicant") submitted to the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate" or "CC&N") to provide resold long distance, resold local exchange and facilities-based local exchange telecommunications services within the State of Arizona. The Applicant also requested that its services be classified as competitive.

On March 23, 2007, the Commission's Utilities Division Staff ("Staff") filed a Letter of Insufficiency stating that the Applicant's application had not met the sufficiency requirements as outlined in the Arizona Administrative Code. ("A.A.C.").

On April 17, 2007, BNA filed its response to Staff's first set of data requests. Also on April 17, 2007, BNA filed a confidential supplement to its application.

On November 2, 2007, BNA filed a supplement to its first set of data requests.

On November 7, 2007, BNA filed a second supplement to its first set of data requests.

On November 7, 2007, Staff filed a Letter of Administrative Completeness in this matter.

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the **hearing** on the above application and petition of Applicant shall commence on **January 23, 2008 at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

1 IT IS FURTHER ORDERED that Staff shall file its Staff Report on or before December
2 21, 2007.

3 IT IS FURTHER ORDERED that BNA shall publish notice of its filing and the hearing, as
4 stated below, in a newspaper(s) of general circulation in every county in Arizona in which BNA
5 desires to provide service by **December 14, 2007**, and shall file Affidavits of Publication with the
6 Commission no later than **December 31, 2007**.

7
8 **IN THE MATTER OF THE APPLICATION OF BROADWEAVE NETWORKS OF**
9 **ARIZONA FOR A CERTIFICATE OF**
10 **CONVENIENCE AND NECESSITY TO PROVIDE RESOLD**
11 **LOCAL EXCHANGE AND FACILITIES-BASED LOCAL**
12 **EXCHANGE SERVICES IN ARIZONA.**
13 **Docket No. T-20514A-07-0113**

14 On February 21, 2007, Broadweave Networks of Arizona ("BNA" or "Applicant")
15 submitted to the Arizona Corporation Commission ("Commission") an application for
16 a Certificate of Convenience and Necessity ("Certificate" or "CC&N") to provide
17 resold long distance, resold local exchange and facilities-based local exchange
18 telecommunications services within the State of Arizona. The Applicant also
19 requested that its services be classified as competitive. The Commission's Utilities
20 Division ("Staff") has not yet made a recommendation regarding BNA's application,
21 and the Commission is not bound by the proposals made by BNA, Staff, or any
22 intervenors, and the Applicant will be required to provide this service under the rates
23 and charges and terms and conditions established by the Commission. Copies of the
24 application, report of Staff, and any written exceptions to the Staff's report filed by the
25 Applicant will be available at the Applicant's offices [insert address] and on the
26 internet via the Commission website (www.azcc.gov) using the e-docket function.

27 The Commission will hold a hearing on this matter beginning **January 23, 2008, at**
28 **10:00 a.m.**, at the Commission's offices, 1200 West Washington, Phoenix, Arizona.
Public comments will be taken on the first day of the hearing. Written public
comments may be submitted via email (visit
<http://www.azcc.gov/utility/cons/index.htm> for instructions), or by mailing a letter
referencing Docket Number T-20514A-07-0113 to: Arizona Corporation Commission,
Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007.

29 The law provides for an open public hearing at which, under appropriate
30 circumstances, interested parties may intervene. Any person or entity entitled
31 by law to intervene and having a direct and substantial interest in the matter
32 will be permitted to intervene. If you would like to intervene, you must file a
33 written motion to intervene with the Commission, and you must send copies of
34 the motion to the Company or its counsel, and to all parties of record in the
35 case. Your motion to intervene must contain the following:

- 36 1. Your name, address, and telephone number, and the name, address, and
37 telephone number of any party upon whom documents are to be served in
38 your place, if desired;
- 39 2. A short statement of your interest in the proceeding (e.g., a customer of the
40 Company, a shareholder of the Company, etc.); and

3. A statement certifying that a copy of your motion to intervene has been mailed to the Company or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before **January 4, 2008.** The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any person or entity from appearing at the hearing and making a statement on their own behalf.

If you have any questions about this application, you may contact BNA at [insert **telephone number**]. If you wish to file written comments on the application or want further information on intervention you may contact the Consumer Services Section of the Commission at 1200 W. Washington St., Phoenix, AZ 85007, or call 1-800-222-7000.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator Linda Hogan, E-mail Lhogan@azcc.gov, voice phone number 602/542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that **intervention** shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before **January 4, 2008.**

IT IS FURTHER ORDERED that any objections to motions to intervene must be filed on or before **January 14, 2008.**

IT IS FURTHER ORDERED that Staff shall file a **Staff Report** on or before **December 21, 2007.**

IT IS FURTHER ORDERED that Applicant and intervenors shall file specific disagreements/comments, if any, regarding the application and Staff Report by **January 14, 2008.**

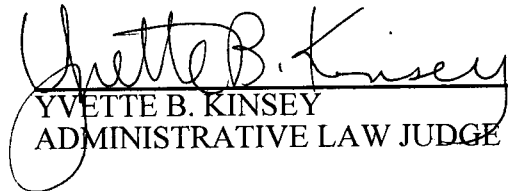
IT IS FURTHER ORDERED that all parties must comply with Rule 31 and 38 of the Rules of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission *pro hac vice*.

IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the Rules of Arizona Supreme Court). Representation before the Commission includes to appear at all hearings and procedural conferences, as well as all Open Meetings for which the matter is scheduled for discussion, unless counsel has previously been granted permission to withdraw by the Administrative Law Judge or the Commission.

1 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
2 Communications) applies to this proceeding and shall remain in effect until the Commission's
3 Decision in this matter is final and non-appealable.

4 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
5 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

6 Dated this 27th day of November, 2007.

7
8 
9 YVETTE B. KINSEY
10 ADMINISTRATIVE LAW JUDGE

11 Copies of the foregoing mailed/delivered
12 this 27th day of November, 2007 to:

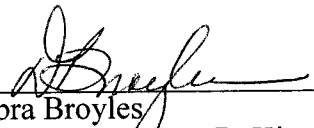
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22 ARIZONA REPORTING SERVICE, INC.
22 2200 N. Central Ave., Suite 502
23 Phoenix, Arizona 85004

24 By:

25 
25 Debra Broyles
26 Secretary to Yvette B. Kinsey